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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/609,126

06/27/2003

Uwe Krueger

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7590

10/11/2006

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EXAMINER

KANG, INSUN

ART UNIT

PAPER NUMBER

2193

DATE MAILED: 10/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/609,126

Applicant(s)

KRUEGER, UWE

Examiner

Insun Kang

Art Unit

2193

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 6/27/2003, 9/22/2003, and 10/20/2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>6/27/2003, 9/22/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responding to application papers dated 6/27/2003, 9/22/2003, and 10/20/2003.
2. Claims 1-12 are pending in the application.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 1- 8 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 1-8 are non-statutory because they are directed to a "framework" without recitation of a computer or a computer-readable medium embodying the framework.

The claims merely recite a "framework" that is disembodied arrangement so as to be called a "computer program" or compilation of facts, information, or data *per se*, without creating any functional interrelationship, either as part of the stored data or as part of the computing processes performed by the computer ("acts") or computer readable medium so as to enable the computer to perform the claimed functionalities.

Thus the claims represent non-functional descriptive material that is not capable of producing a useful result, and hence represent only abstract ideas. Therefore, the claims are non-statutory.

Claim Rejections - 35 USC § 102

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5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Aditham et al. (US Patent. 6,378,001) hereafter "Aditham."

Per claim 1:

Aditham discloses:

-a virtual object space providing access to a plurality of objects, each object having a set of functionality and being identifiable by a unique identifier provided by the virtual object space (i.e. col. 4 lines 10-20; col. 6 lines 47-65); and a visualization framework for visualizing objects independently of an application implementing the object, each object being visualized using the object's unique identifier and according to the object's corresponding set of functionality (i.e. Fig 3, col. 5 lines 15-35; col. 6 lines 47-65).

Per claim 2:

The rejection of claim 1 is incorporated, and further, Aditham teaches:

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wherein the virtual object space further provides generic object functionality for the plurality of objects(i.e. Fig 3, col. 5 lines 15-35; col. 6 lines 47-65).

Per claim 3:

The rejection of claim 2 is incorporated, and further, Aditham teaches:

wherein the generic object functionality includes at least one or more of the following:

associations and transactions functionality for relating objects and interaction between objects; distribution functionality for distributing the virtual object space; and persistency functionality for maintaining persistency of the objects(i.e. Fig 3, col. 5 lines 15-35; col. 6 lines 47-65).

Per claim 4:

The rejection of claim 1 is incorporated, and further, Aditham teaches:

-framework services providing common event handling of the plurality of objects(i.e. Fig 3, col. 5 lines 15-35; col. 6 lines 47-65).

Per claim 5:

Aditham discloses:

a virtual object space providing access to a plurality of objects, each object being identifiable by a unique identifier; a user interface for receiving input from a user relating to a desired arrangement of one or more software objects(i.e. Fig 3, col. 5 lines 15-35; col. 6 lines 47-65); and a visualization framework for visualizing objects according to the desired arrangement, each object being visualized using the object's unique

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identifier independently of an application implementing the object(i.e. Fig 3, col. 5 lines 15-35; col. 6 lines 47-65).

Per claim 6:

The rejection of claim 5 is incorporated, and further, Aditham teaches:

wherein the user interface further includes allowing a user to browse the plurality of objects independent of one or more applications implementing the objects(i.e. Fig 3, col. 5 lines 15-35; col. 6 lines 47-65).

Per claim 7:

The rejection of claim 5 is incorporated, and further, Aditham teaches:

the desired arrangement is hierarchical(i.e. Fig 3, col. 5 lines 15-35; col. 6 lines 47-65).

Per claim 8:

The rejection of claim 5 is incorporated, and further, Aditham teaches:

the visualization framework includes an object viewer(i.e. Fig 3, col. 5 lines 15-35; col. 6 lines 47-65).

Per claims 9-12, they are the method versions of claims 1-4, respectively, and are rejected for the same reasons set forth in connection with the rejection of claims 1-4 above.

7. Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Koppolu et al. (US Pg. Pub. 2002/0103824) hereafter "Koppolu."

Per claim 1:

Koppolu discloses:

-a virtual object space providing access to a plurality of objects, each object having a set of functionality and being identifiable by a unique identifier provided by the virtual object space (i.e. 0012; fig 5-7; 0191;0539); and a visualization framework for visualizing objects independently of an application implementing the object, each object being visualized using the object's unique identifier and according to the object's corresponding set of functionality (i.e. fig 5-7; 0191; 0192).

Per claim 2:

The rejection of claim 1 is incorporated, and further, Koppolu teaches:
wherein the virtual object space further provides generic object functionality for the plurality of objects (i.e. 0012; fig 5-7; 0191;0539).

Per claim 3:

The rejection of claim 2 is incorporated, and further, Koppolu teaches:
wherein the generic object functionality includes at least one or more of the following:
associations and transactions functionality for relating objects and interaction between objects; distribution functionality for distributing the virtual object space; and persistency functionality for maintaining persistency of the objects (i.e. 0012; fig 5-7; 0191;0539).

Per claim 4:

The rejection of claim 1 is incorporated, and further, Koppolu teaches:

-framework services providing common event handling of the plurality of objects(i.e. 0012; fig 5-7; 0191;0539).

Per claim 5:

Koppolu discloses:

a virtual object space providing access to a plurality of objects, each object being identifiable by a unique identifier; a user interface for receiving input from a user relating to a desired arrangement of one or more software objects (i.e. 0012; fig 5-7; 0191;0539); and a visualization framework for visualizing objects according to the desired arrangement, each object being visualized using the object's unique identifier independently of an application implementing the object(i.e. fig 5-7; 0191; 0192).

Per claim 6:

The rejection of claim 5 is incorporated, and further, Koppolu teaches:

wherein the user interface further includes allowing a user to browse the plurality of objects independent of one or more applications implementing the objects (i.e. 0012; fig 5-7; 0191;0539).

Per claim 7:

The rejection of claim 5 is incorporated, and further, Koppolu teaches:

the desired arrangement is hierarchical(i.e. 0012; fig 5-7; 0191;0539).

Per claim 8:

The rejection of claim 5 is incorporated, and further, Koppolu teaches:

the visualization framework includes an object viewer(i.e. 0012; fig 5-7; 0191;0539).

Per claims 9-12, they are the method versions of claims 1-4, respectively, and are rejected for the same reasons set forth in connection with the rejection of claims 1-4 above.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Insun Kang whose telephone number is 571-272-3724. The examiner can normally be reached on M-R 6:30-5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki can be reached on 571-272-3719. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business

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Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO

Customer Service Representative or access to the automated information system, call

800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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